

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

UNITED STATES OF AMERICA	§	
	§	
v.	§	No. 2:12-CR-043
	§	“ECF”
SHANICE ADEL LAMBERT (1)	§	“Referred to the U.S. Magistrate Judge”

**GOVERNMENT'S RESPONSE TO THE DEFENDANT'S
MOTIONS FOR DISCOVERY AND EXCULPATORY EVIDENCE**

TO THE HONORABLE UNITED STATES MAGISTRATE JUDGE:

The United States of America responds as follows to the defendant's motion for discovery:

The United States recognizes its obligations under Rule 16, Federal Rules of Criminal Procedure, and will fulfill those obligations by making discovery to the defendant of all material discoverable pursuant to Rule 16. The United States will comply with its obligation under *Brady v. Maryland*, 373 U.S. 83 (1963), and *Giglio v. United States*, 405 U.S. 150 (1972), and related cases. Statements in the possession of the United States that would fall within the mandate of either *Brady* or *Giglio*, will be provided to defense counsel. Written and recorded statements made by witnesses called as witnesses in the government's case will be produced the day before the witness is scheduled to testify pursuant to the *Jencks* Act. The United States will comply with its obligation to disclose information or evidence, if any, gained by electronic surveillance.

CONCLUSION

The United States respectfully submits that the portions of defendant's motion for discovery that seek information and materials the disclosure of which is not provided for under Rules 16 or 26.2 of the Federal Rules of Criminal Procedure or the *Jencks* Act, or which is not exculpatory or appropriate impeachment information, should be denied.

Respectfully submitted,

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UNITED STATES ATTORNEY

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CERTIFICATE OF SERVICE

I hereby certify that on October 5, 2012, I electronically filed the foregoing document with the clerk of court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the court. The electronic case filing system sent a "Notice of Electronic filing" to counsel for Defendant who has consented in writing to accept this Notice as service of this document by electronic means.

/s/Steven M. Sucsy
STEVEN M. SUCSY
Assistant United States Attorney